

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

JOSEPH ARPAIO,

Appellant-Plaintiff,

v.

BARACK OBAMA, ET AL.

Appellees-Defendants.

Case No. on Appeal: 14-5325

Appeal from U.S. District Court
Case No. 1:14-cv-01966 (BAH)

**APPELLANT'S MOTION TO SLIGHTLY MODIFY COURT'S EXPEDITED
SCHEDULING ORDER OF JANUARY 14, 2015**

Appreciative that this Court expedited its review of the underlying ruling of the lower court, Appellant Joseph Arpaio hereby moves this Court for a slight modification of its Expedited Scheduling Order of January 14, 2015 on the following grounds:

First, Appellant will prepare his initial brief as the Court has ordered on or before January 29, 2015. This is approximately two weeks from today. However, the Court allowed for Appellees' to file their opposing brief on March 2, 2015. This date provides nearly five weeks for them to prepare and file their opposing brief.

Second, given that the executive actions at issue will fully go into effect around February 19, 2015, it would be prudent and fair for Appellees to have the same amount of time to prepare and file their brief, which would be on or before February 12, 2015.

Third, Appellant would then file his reply on or before February 16, 2015, before the date that these executive actions will be implemented.

By slightly modifying the Expedited Scheduling Order, the Court would be able to hear oral argument and decide this case in and around the time period for Appellees' executive actions to go into effect on February 19, 2015. Since Appellant has requested a preliminary injunction, if successful, this would allow the Court to order the preliminary injunction to go into effect prior to full implementation of the executive actions at issue. This would not only prevent further harm to Appellant, but also save valuable government resources by ordering the executive actions to be enjoined without further cost to the U.S. taxpayer for what would amount to unconstitutional actions in any event.

The government does not consent to this motion.

Dated: January 15, 2015

Respectfully submitted,

/s/ Larry Klayman

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of January, 2015 a true and correct copy of the foregoing was submitted electronically to the U.S. Court of Appeals for the District of Columbia Circuit and served via CM/ECF electronic service upon the following:

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